



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.06.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD)No.831 of 2020

and

W.M.P. (MD)No.613 of 2020

WEB COPY

M.Vasanthi

... Petitioner

/vs./

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department, Secretariat,
Fort St.George, Chennai.

2.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

3.The Chairman,
Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai-600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to award 4 marks for the petitioner (Roll No.19PG012403636) in respect of Tamil subject based on the proof produced from the Standard Text Books and consequently, direct the respondents to select and appoint the petitioner to the post of PG Assistant (Tamil) under BC category, based on the merits in the selection for the post of Post Graduate Assistant / Physical Education Directors Grade-I in School Education and other departments for the year 2018-2019.

For Petitioner	: Mr.J.Jeyakumaran
For R1 and R2	: Mr.V.Nirmal Kumar, Government Advocate.
For R3	: Mr.V.R.Shanmuganathan

ORDER

The petitioner herein had made an application in the Direct Recruitment process for the post of Post Graduate Assistant/Physical Education Directors Grade I, 2018-19, pursuant to the notification issued by the third respondent herein on 12.06.2019.

2.The petitioner challenged key answers to eleven questions in the written examination, out of which, four of the key answers to the Question Nos.10, 13, 87 and 103 are incorrect, according to him and therefore, if marks are awarded for the four questions, he would come within the cut-off mark of 96.



3.It is brought to the notice of this Court that in connection with the same recruitment, when certain aggrieved candidates had approached the Principal Seat of this Court, complaining that the key answers to some of the questions were incorrect, this Court had passed an order in the case of ***C.Devaki and two others vs. State of Tamil Nadu, represented by the Principal Secretary to Government, School Education Department and others*** in W.P.No.32788 of 2019 batch, dated 28.11.2019, by directing the respondents to constitute an expert committee in the subjects and review the key answers.

4.Pursuant to the directions, an Expert Committee was formed by the Board, who had verified the key answers and had given a report. As per the Expert Committee's report, the key answer to the question No.66 was revised and one mark was awarded to all the candidates. Insofar as the four key answers to the question Nos.10, 13, 87 and 103, the Expert Committee had scrutinized these key answers also and had given their opinion that these answers were correct and hence, no marks could be awarded for them.

5.It is settled proposition of law that in the recruitment process, when the Expert Committee in the subjects gave their opinion, after consideration of the objections of the candidates, this Court, exercising its power under Article 226 of the Constitution of India will not be justified in interfering with the views of the experts and altering the key answers.

6.Since the third respondent had categorically stated in the counter affidavit that the four key answers stressed upon by the petitioner are correct, I am unable to consider the petitioner's ground that these key answers are incorrect. Hence, I do not find merits in this Writ Petition and accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

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/06/2022

Sub Assistant Registrar(CS)

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To:

1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department, Secretariat,
Fort St.George, Chennai.

2.The Director of School Education,
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Chennai-600 006.

3.The Chairman,
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+1 CC to M/s.SPL.GP. (SR-26403[F] dated 17/06/2022)

Order made in
W.P.(MD)No.831 of 2020

Dated:
15.06.2022

SS(28/06/2022) 3P 5C